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NORTHERN DISTRICT OF OHIO  
CLEVELAND

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

LAREDO NATIONAL	)	CASE NO. 00 CV 2081
BANCSHARES, INC., et al.,	)	
	)	
Plaintiffs,	)	JUDGE WELLS
	)	
vs.	)	<u>DEFENDANT'S REPLY IN</u>
	)	<u>SUPPORT OF SECOND MOTION</u>
DONALD E. SCHULZ,	)	<u>FOR ENLARGEMENT OF TIME</u>
	)	<u>WITHIN WHICH TO RESPOND TO</u>
Defendant.	)	<u>THE COMPLAINT</u>

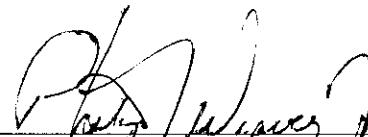
Defendant, Donald E. Schulz, is compelled to reply because of two misstatements by Plaintiffs in their opposition to Dr. Schulz's second motion for enlargement of time.

First, Plaintiffs contend that counsel for Dr. Schulz did not contact Plaintiffs' counsel for settlement discussion purposes. This is incorrect. On October 4, 2000, the undersigned contacted Patrick M. McLaughlin, Esquire, to discuss potential settlement. As a result of that conference, it was concluded that settlement at this time is not possible.

Second, Plaintiffs contend that Dr. Schulz now raises different grounds in seeking an enlargement of time. This also is incorrect. Dr. Schulz's initial motion for enlargement of time did raise the issue of his financial ability to defend himself in this litigation.

Accordingly, Dr. Schulz should be granted an additional extension of time until December 15, 2000 in order to determine whether the Department of Justice, United States Army or others are willing to defend him herein. Since Dr. Schulz cannot adequately fund his defense himself, it makes little sense to initiate the discovery process.

Respectfully submitted,

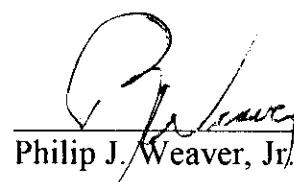


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CERTIFICATE OF SERVICE

A copy of the foregoing Defendant's Reply in Support of Second Motion For Enlargement of Time Within Which to Respond to The Complaint has been served by regular U.S. mail, postage prepaid, on this 23<sup>rd</sup> day of October, 2000 upon Patrick M. McLaughlin, Esq., Attorney for Plaintiffs, Ohio Savings Plaza, Suite 740, 1801 East 9<sup>th</sup> Street, Cleveland, Ohio 44114-3198.



Philip J. Weaver, Jr.